

REMARKS

Upon entry of the present amendment, claims 1, 4, 6, 7, 12 and 16-23 will have been amended to more clearly recite the claimed subject matter and to more clearly define the invention, while not substantially affecting or narrowing the scope of these claims. Applicants respectfully submit that all pending claims are now in condition for allowance.

In the above-referenced Official Action, the Examiner rejected claims 1-2, 4-7, 9-10, 12-13, 14-16, 18 and 20 under 35 U.S.C. § 103(a) as being unpatentable over NOLTING (U.S. Patent No. 6,282,267) in view of SBISA (U.S. Patent No. 5,793,853) in further view of SCHLOSSMAN et al. (U.S. Patent No. 5,734,705) and SBISA et al. (U.S. Patent Application Publication No. 20020090074). The Examiner rejected claims 3 and 22 under 35 U.S.C. § 103(a) as being unpatentable over NOLTING in view of SBISA and SCHLOSSMAN et al. in further view of SBISA et al. The Examiner rejected claim 8 under 35 U.S.C. § 103(a) as being unpatentable over NOLTING in view of SBISA and SCHLOSSMAN et al. in further view of SAPRA et al. (U.S. Patent No. 5,940,485). The Examiner rejected claims 11, 19, 21 and 23 under 35 U.S.C. § 103(a) as being unpatentable over NOLTING in view of SBISA and SCHLOSSMAN et al. and in further view of MOTT et al. (U.S. Patent Application Publication No. 20020094070). The Examiner rejected claim 17 under 35 U.S.C. § 103(a) as being unpatentable over NOLTING in view of SBISA and SCHLOSSMAN et al. in further view of HERBERT (U.S. Patent No. 5,333,183). Applicants respectfully traverse these rejections, at least for the reasons stated below.

The claimed embodiment of the present invention is directed to sampling calling data provided by a switch to a service control point, and formatting the calling data into a station message

detail recording (SMDR) format. SMDR data is conventionally collected at individual switches, for example, central office switches servicing central exchange service (centrex) networks and private branch exchange (PBX) switches servicing PBX networks. Accordingly, each of these switches must be loaded with appropriate software and must have connectivity to an SMDR server and/or host in order for the SMDR data to be accessed by the customer. *See* Specification, para. [0013]. Furthermore, data from the central office switches is not compatible with the data from the PBX switches, so customers having both centrex and PBX networks are unable to receive consolidated SMDR data streams. *Id.* The sampling involves selecting data that is similar to the SMDR data that would conventionally be provided directly from the switch to the host. Therefore, advantages of sampling the calling data to obtain SMDR data include centralizing data collection and combining reporting of otherwise incompatible systems.

No proper combination of the prior art cited by the Examiner teaches or suggests centrally sampling data and formatting the sampled data into an SMDR format. With respect to all of the independent claims, claims 1, 6, 7, 12, 13, 16 and 20, the Examiner admitted that the primary reference, NOLTING, does not disclose sampling calling data received from a switch at an SCP and formatting the sampled data as SMDR data. The Examiner therefore relied on SBISA in combination with NOLTING to teach an SCP creating a call data record (CDR) based on data received from a switch.

SBISA teaches multiple network elements, including a switch 12 and an SCP 16, each of which independently generates CDRs and connects directly to a merge processor 42. *See* Figs. 1 and 2; col. 5, lines 12-18. The merge processor 42 simply merges CDRs received from the various

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network elements, including the switch 12 and the SCP 16. Significantly, the SCP 16 generates CDRs *only* when a requested service (identified by the switch 12) involves a network element in addition to the switch 12. *See* col. 5, lines 19-27. Otherwise, the switch 12 generates its own CDRs and sends them directly to the merge processor 42: “If the service request does not require the services of any other network element, then switch 12 will have generated the entire CDR for that request and will forward the CDR (CDR 108) to merge processor 42 via link 44.” *See* col. 5, lines 14-18.

Therefore, the Examiner’s reliance on SBISA is misplaced. First, the SCP 16 in SBISA does not sample data to be used in an SMDR formatted report. Rather, SBISA teaches that the SCP 16 generates its own CDR, containing information relating to a specific requested service, whenever the switch 12 indicates that the requested service requires a network element other than the switch 12. Second, SBISA does not teach *formatting* sampled data as SMDR data. Rather, SBISA teaches *merging* independently generated (and formatted) sets of CDRs. Further, numerous elements in the SBISA network are connected directly to the merge processor 42, so that SBISA is actually an example the conventional problem overcome by the present invention, *i.e.*, having to implement multiple software programs on numerous network elements and having to accommodate multiple connections to a processor. Accordingly, withdrawal of the rejections based on any combination including the reference SBISA is respectfully requested.

The Examiner relied on SCHLOSSMAN et al. only to teach that a CDR is an alternative reference to an SMDR. However, even assuming for purposes of argument that this is an accurate characterization, SCHLOSSMAN et al. do not overcome the deficiencies of SBISA and NOLTING.

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Even if “CDR” were replaced by “SMDR” in SBISA, the reference would still only disclose multiple network elements independently generating SMDR formatted data and independently forwarding the SMDR formatted data to a merge processor 42. This does not teach or suggest receiving calling data at an SCP, sampling SMDR-like data from the calling data and formatting the sampled data to into an SMDR format.

With regard to claims 2-5, 8-11, 14-15, 17-19 and 21-23, Applicants assert that they are allowable at least because they depend, directly or indirectly, from independent claims 1, 7, 13, 16 and 20, respectively, which Applicants submit have been shown to be allowable.

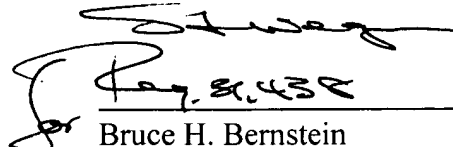
In view of the herein contained amendments and remarks, Applicants respectfully request reconsideration and withdrawal of previously asserted rejections set forth in the Official Action of August 13, 2003, together with an indication of the allowability of all pending claims, in due course. Such action is respectfully requested and is believed to be appropriate and proper.

Any amendments to the claims in this Reply, which have not been specifically noted to overcome a rejection based upon the prior art, should be considered to have been made for a purpose unrelated to patentability, and no estoppel should be deemed to attach thereto.

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Should the Examiner have any questions concerning this Reply or the present application, the Examiner is respectfully requested to contact the undersigned at the telephone number listed below.

Respectfully submitted,  
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